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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,394	04/27/2001	Michael Wayne Brown	AUS920010106US1	1339
7590 09/30/2004				
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EXAMINER CHUONG, TRUC T				
ART UNIT 2179		PAPER NUMBER		

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/844,394

Applicant(s)

BROWN ET AL.

Examiner

Truc T Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is responsive to Amendment, filed 06/10/04.
2. Claims 1-37 are pending in this application. In the Amendment, claims 1-3, 8, 15, 21, 23, 25, 26, 30-32, 36, and 37 are amended. This action is made non-final.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-9, 12-26, 28-32, and 34-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Grewal et al. (U.S. Patent No. 6,691,159 B1).

As to claim 1, Grewal teaches a method for obtaining assistance in a search for information, on a data processing system, the information concerning a subject area, the method comprising the steps of:

requesting an interactive expertise session (interact with a group of experts, e.g., col. 1 lines 39-59, col. 2 line 59-col. 3 line 8, and figs. 5-7), wherein the request for the interactive expertise session is received from a live help selection option located on a browser graphical user interface (e.g., col. 2 line 58-col. 3 line 8, and col. 3 lines 40-67, and figs. 5-7);

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responsive to the request for the interactive expertise session, providing an electronic page display and a communication interface on the graphical user interface (on the Web site of figs. 5-6, the users can formulate questions on the communication Web site and post question to the a panel of experts, col. 3 line 53-col. 4 line 33, and figs. 5-7); and

presenting generated interactive expertise related to the subject area, wherein a first portion of the generated interactive expertise is presented upon the communication interface (panel of experts, e.g., col. 3 line 53-col. 4 line 33, and figs. 5-7) and a second portion of the generated interactive expertise is presented upon the electronic page display (communication Web site, e.g., col. 3 line 53-col. 4 line 33, and figs. 5-7), wherein the generated interactive expertise presented upon the communication interface comprises a communication between a requestor of the interactive expertise and a supplier of the interactive expertise (using Instant Messaging or Chat for communicating between the users and experts, e.g., col. 3 line 54-col. 4 line 5, col. 4 lines 11-33, and figs. 5-7) and the generated interactive expertise presented upon the electronic page display comprises at least one information page related to the subject area as determined by the supplier (the help topic posted on the panel of experts will be analyzed and matched with the expertise related to the topic, so there is only related information between the users and experts will be exchanged and displayed on the communication display, e.g., col. 3 line 53-col. 4 line 33, and figs. 5-7).

As to claim 2, Grewal teaches the method as recited in claim 1, wherein the at least one information page is also presented to the supplier of the interactive expertise (there is only related information between the users and experts will be exchanged and displayed on the communication display, e.g., col. 3 line 53-col. 4 line 33, and figs. 5-7).

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As to claim 3, Grewal teaches the method as recited in claim 2, wherein the communication between the requestor of the interactive expertise and the supplier of the interactive expertise is at least one of an electronic mail message and an instant messenger message service (email, Chat, and Instant Message, e.g., col. 3 line 53-col. 4 line 5).

As to claim 4, Grewal teaches the method as recited in claim 2, wherein the communication between the requestor of the expertise and a supplier of the expertise is at least one of textual communication and audible communication (the users can formulate questions on the communication Web site and post question to the a panel of experts, or using email/Phone, col. 3 line 53-col. 4 line 18).

As to claim 5, Grewal teaches the method as recited in claim 1, wherein the request for the interactive expertise is from a client machine (the client user interface 70 with Web Browser uses to request information and help from the experts, e.g., 3 lines 27-65, col. 4 lines 46-63).

As to claims 6 and 9, Grewal teaches the method as recited in claim 1, wherein generation of the interactive expertise is from a server (Servers storing information are integrated with server system and can be accessed by potential users, col. 2 lines 22-58, and server system 12 is responsible for generating Chat Room, col. 3 line 56-col. 4 line 33, and col. 4 lines 46-63).

As to claim 7, Grewal teaches the method as recited in claim 6, wherein the server is an expert web server (the server system 12 provides web information to the client system 14, e.g., col. 2 lines 22-37).

As to claim 8, Grewal teaches the method as recited in claim 1, wherein the communication interface and the electronic page display are provided on a graphical user

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interface of the requester and a graphical user interface of the supplier (from the experts' PCs, Web browser can be used to view the same URL as displayed on the users' PCs).

As to claim 12, Grewal teaches the method as recited in claim 1, further comprising:
matching a requested area of expertise within an area of a supplier of the expertise; and
generating the expertise based on results of the matching (keyword match, e.g., col. 4 lines 11-45).

As to claim 13, Grewal teaches the method as recited in claim 12, wherein matching a requested area of expertise within an area of the supplier of the expertise is matched to a plurality of suppliers of the expertise (keyword match, e.g., col. 4 lines 11-45).

As to claim 14, Grewal teaches the method as recited in claim 13, further comprising:
determining which of the plurality of suppliers of the expertise is available (available experts, col. 4 lines 15-16); and connecting an available supplier of the expertise to the requestor of the expertise (different requests for different experts, e.g., col. 4 lines 11-58).

As to claim 15, Grewal teaches the method as recited in claim 2, wherein the at least one information page is manipulatable by both the requestor and the supplier (from the experts' PCs, Web browser can be used to view the same URL as displayed on the users' PCs).

As to claim 16, Grewal teaches the method as recited in claim 1, wherein the generated expertise is generated using an Internet search engine (the experts can use their PCs to get information from the server as mentioned above, or from their Web browser to get the search information from other Search Engines available on the Internet).

As to claim 17, it is individually similar in scope to claim 1 above; therefore, rejected under similar rationale.

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As to claim 18-20, they are similar in scope to claims 5-7 above; therefore, rejected under similar rationale.

As to claim 21, Grewal teaches the method as recited in claim 17, further comprising:

selecting a second electronic page having a content from the plurality of electronic pages (hypertext links, col. 3 lines 15-65, and figs. 4-7);

replacing the first electronic page with the second electronic page (first time user and generic page, col. 3 lines 21-26);

simultaneously displaying the second electronic page and the communication interface on both a client machine and an expert machine (see the rejection of claim 15 above, col. 3 lines 15-30, and figs. 4-7); and

transmitting generated interactive expertise based on the subject area, wherein the generated interactive expertise utilizes both the second electronic page and the communication interface (figs. 4-7).

As to claim 22, Grewal teaches a method of claim 18, wherein the generated interactive expertise is transmitted to the client machine and is displayed on both the client machine and an expert machine (the same topic can be displayed on both client and expert machines because the help topic posted on the panel of experts will be analyzed and matched with the expertise related to the topic, so there is only related information between the users and experts will be exchanged and displayed on the communication display, e.g., col. 3 line 53-col. 4 line 33, and figs. 5-7).

As to claim 23, this is a system claim of method claim 1. Note the rejection of claim 1 above.

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As to claim 24, this is a system claim of method claim 17. Note the rejection of claim 17 above.

As to claim 25, this is a system claim of method claim 22. Note the rejection of claim 22 above.

As to claim 26, this is a system claim of method claim 1. Note the rejection of claim 1 above.

As to claim 28, this is a system claim of method claim 12. Note the rejection of claim 12 above.

As to claim 29, this is a system claim of method claim 17. Note the rejection of claim 17 above.

As to claim 30, this is a system claim of method claim 21. Note the rejection of claim 21 above.

As to claim 31, this is a system claim of method claim 22. Note the rejection of claim 22 above.

As to claims 32, 34-37, they are computer program product claims of method claims 1, 12, 17, 21, and 22. Note the rejections of claims 1, 12, 17, 21, and 22 above respectively.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 10-11, 27 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grewal et al. (U.S. Patent No. 6,691,159 B1) in view of Crosskey et al. (U.S. Patent No. 6,035,281).

As to claim 10, although, Grewal teaches the method as recited in claim 1, wherein the system keeps tracking the calls/requests from the users by using expert pool indicator shows history of previous user interactions (col. 4 lines 34-45); however, Grewal does not teach using the information to charge the users for the interactive expertise section. Crosskey clearly show Web pages can be used to display billing responsibility of the users for accessing the Web (col. 2 lines 61-62) and computing the billing amount of each data transfer associated with the Web pages (col. 3 lines 42-45). It would have been obvious at the time of the invention, a person with ordinary skill in the art would want to have the billing feature of Crosskey in the Web-Based Assistance System of Grewal to make profits from helping the users, and the profits can be used in improving the current system or hire more experts to be able to serve the users better.

As to claim 11, Grewal in view of Crosskey teaches the method as recited in claim 10, wherein the requestor of the expertise session is charged for the expertise on a predetermined basis which includes at least one of a flat fee basis, a time basis and a commission basis (Crosskey, flat fee, col. 3 lines 5-7).

As to claim 27, this is a system claim of method claim 10. Note the rejection of claim 10 above.

As to claim 33, it is a computer program product claim of method claim 10. Note the rejection of claim 10 above.

Response to Arguments

7. Applicant's arguments, see the Amendment, filed 06/10/04, with respect to the rejection(s) of claim(s) 1-37 under Non-final Rejection have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Grewal et al. (U.S. Patent No. 6,691,159 B1); and further Grewal et al. (U.S. Patent No. 6,691,159 B1) in view of Crosskey et al. (U.S. Patent No. 6,035,281).

8. Other Applicant's arguments have been fully considered but they are not persuasive.

Applicants argued the following:

- a. Grewal does not teach or suggest that the Web page is a result of any expert's determination relating the requested subject area.
- b. Grewal does not teach simultaneously displaying the first electronic page and a communication interface and transmitting generated interactive expertise based on the subject area, wherein the generated interactive expertise utilizes both the first electronic page and the communication interface.

The Examiner disagrees for the following reasons:

Per (a), Grewal clearly teaches the same topic can be displayed on both client and expert machines because the help topic posted on the panel of experts will be analyzed and matched with the expertise related to the topic, so there is only related information between the users and experts will be exchanged and displayed on the communication display or Web page (e.g., col. 3 line 53-col. 4 line 33, and figs. 5-7).

Per (b), Grewal teaches that there is only related information between the users and experts will be exchanged and displayed on the communication display or Web page as mentioned above (e.g., col. 3 line 53-col. 4 line 33, and figs. 5-7). Grewal absolutely provides these features because the Assistant Help features during interacting between the users and experts, the experts will provide related information, files, data, links, URLs, images, etc. back to the users; by accessing/selecting/clicking to the provided links/information from the experts, an appropriate information/Web page will be displayed simultaneously with the interactive expertise section.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lui et al. (U.S. Patent No. 6,340,977 B1) teach help assistant, GUI, Web browser, interactive help, Internet, and servers (cols. 2-46 and figs. 1-12).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753, and starting October 2004, a new telephone number will be 571-272-4134. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 703-308-5186, and starting October 2004, a new telephone number will be 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

09/28/04


BA HUYNH
PRIMARY EXAMINER